

ASSEMBLY BILL

No. 444

Introduced by Assembly Member Carter

February 15, 2011

An act to amend Section 9990 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 444, as introduced, Carter. Vehicles: material damage: definition.

Existing law, for purposes of defining material damage sustained by a motor vehicle in order to comply with damage disclosure requirements set forth in the Vehicle Code, specifies that the damage is material under specified circumstances relating to the cost of repairs and whether the damage was to the frame or drive train of the motor vehicle, occurred in connection with a theft of the entire vehicle, or was to the suspension of the vehicle requiring repairs other than wheel balancing or alignment.

This bill would make a technical, nonsubstantive change in those provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 9990 of the Vehicle Code is amended to
2 read:

3 9990. For purposes of this chapter, damage sustained by a
4 motor vehicle is material under any of the following circumstances:

5 (a) The damage required repairs having a value, including parts
6 and labor calculated at the repairer's cost, exceeding 3 percent of

1 the manufacturer's suggested retail price of the vehicle or five
2 hundred dollars (\$500), whichever is greater. The replacement of
3 damaged or stolen components, excluding the cost of repainting
4 or refinishing those components, if replaced by the installation of
5 new original manufacturer's equipment, parts, or accessories that
6 are bolted or otherwise attached as a unit to the vehicle, including,
7 but not limited to, the hood, bumpers, fenders, mechanical parts,
8 instrument panels, moldings, glass, tires, wheels, and electronic
9 instruments, shall be excluded from the damage calculation, except
10 that any damage having a cumulative repair or replacement value
11 ~~which~~ *that* exceeds 10 percent of the manufacturer's suggested
12 retail price of the vehicle shall be deemed material.

13 (b) The damage was to the frame or drive train of the ~~motor~~
14 vehicle.

15 (c) The damage occurred in connection with a theft of the entire
16 vehicle.

17 (d) The damage was to the suspension of the vehicle requiring
18 repairs other than wheel balancing or alignment.